

## KRS 44.070

*“The Board of Claims...is created and vested with full power and authority to investigate, hear proof, and to compensate persons for damages*

*sustained to either person or property as a proximate result of negligence on the part of the Commonwealth, any of its cabinets, departments, bureaus, or agencies...while acting in the scope of their employment by the Commonwealth...”*

### Damages not covered

- Mental distress
- Pain or suffering
- Loss of consortium
- Subrogation
- Claims against local governments
- Acts of contractors with the state

### Reduction of Awards

Award amounts are reduced by amounts a claimant has the right to receive through payments from:

- Workers' Compensation Insurance
- Social Security
- Unemployment
- Medical, disability or life, and car or home insurance programs.

### Board of Claims

130 Brighton Park Blvd.  
Frankfort, KY 40601

Phone: 502-573-7986  
[www.boc.ky.gov](http://www.boc.ky.gov)



*The Board of Claims is under the Public Protection Cabinet of the Commonwealth of Kentucky. The Cabinet provides accommodations necessary to afford an individual with a disability an equal opportunity to participate in all services, programs and activities. To request material in an alternative format, please call (502) 573-7986.*

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## Compensation for damages resulting from negligence of the Commonwealth

# Board of Claims



130 Brighton Park Blvd.  
Frankfort, KY 40601  
502-573-7986  
[www.boc.ky.gov](http://www.boc.ky.gov)

# Board of Claims

## General Information

The Board of Claims was established by the Kentucky General Assembly in 1946, to be an impartial and fair review of all claims filed by citizens who believe they have suffered injury because of negligence on the part of the Commonwealth.

The Board is made up of five members appointed by the Governor and who also serve on the Crime Victims Compensation Board.

The Board has the authority to investigate, hear proof and compensate for damages, and is the only means of redress in cases of negligence.

The Board meets once a month to make decisions regarding claims that are on its agenda.

The staff consists of three full-time and one part-time employees, and five part-time hearing officers.

Approximately 1,000 claims are filed each year, 80 percent of which are claims less than \$1,000.

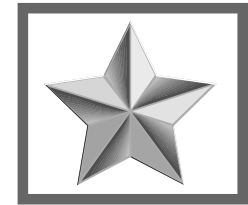
## Filing a Claim

- Claim forms can be obtained by calling the Board of Claims Office, (502) 573-7986, or by going on line at [www.boc.ky.gov](http://www.boc.ky.gov).
- Claims must be filed within one year of the incident.
- Awards are limited to \$200,000 for single-claim cases, and \$350,000 for multiple-claim cases.
- Claims of less than \$100 are not eligible and will not be accepted.



*This pamphlet is only a summary of the statutory provisions applicable to the Board of Claims and is not in itself binding to the Board. For the actual provision and rules, please refer to KRS Chapter 44.070-.165, and 108 KAR 1:010-040.*

## Frequently Asked Questions



- **Is there a fee for filing a claim?**

*No, there is no filing fee.*

- **What is required for submission?**

*The original signed claim form with all evidence attached and one additional copy.*

- **Who needs to sign the claim form?**

*The claim form must be signed by the claimant and also by the attorney if one is representing the claimant.*

- **Why is a social security or federal ID number needed?**

*If an award is ordered, a social security number is needed in order to process a check. If appropriate, an inmate ID number is also required.*

- **Does the Board of Claims have jurisdiction over claims related to a city or county agency?**

*No, Board of Claims only has jurisdiction over state agencies.*

- **How long does it take to receive a decision?**

√ *Claims less than \$1000 are investigated by one of the Board's investigators and a decision should be received within 60 days .*

√ *Claims \$1000 or greater vary in the length of time it takes to make a decision.*

- **What if I disagree with the decision?**

√ *Claims less than \$1000—claimant can request a full-board review.*

√ *Claims \$1000 and greater— decisions can be appealed to the circuit court in the county where the incident occurred, or in Franklin County with Board approval.*